

**REMARKS**

The Official Action mailed March 10, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statement filed on August 28, 2003.

Claims 1-27 and 29 were pending in the present application prior to the above amendment. Dependent claims 18 and 24 have been canceled, independent claims 1, 6, 11, 14, 20 and 26 have been amended to better recite the features of the present invention, and new claims 30-32 have been added to recite additional protection to which the Applicants are entitled. Accordingly, claims 1-17, 19-23, 25-27 and 29-32 are now pending in the present application, of which claims 1, 6, 11, 14, 20 and 26 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1-27 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,278,131 to Yamazaki et al. The Applicants respectfully submit that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Regarding independent claims 1, 6 and 11, the Official Action asserts that "the term column does not define any other specific shape" (page 3, Paper No. 20050305). Independent claims 1, 6 and 11 have been amended to recite that a column-shape spacer has a top surface and a bottom surface and that an area of the bottom surface is larger than an area of the top surface, which is supported in the specification, for

example, by page 21, line 26, to page 22, line 10. Yamazaki does not teach that a column-shape spacer has a top surface and a bottom surface and that an area of the bottom surface is larger than an area of the top surface, either explicitly or inherently.

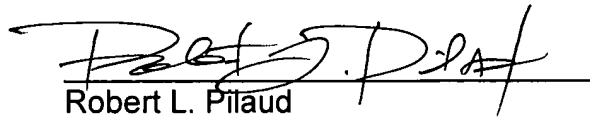
Independent claims 14 and 20 have been amended to recite that an LDD region comprises a first portion and a second portion, that a concentration of an element decreases from the first portion to the second portion, and that the second portion is closer to a channel forming region than the first portion, which is supported in the specification, for example, by Figures 19A-1, 19A-2, 19B-1 and 19B-2. Also, regarding independent claim 26, the Official Action asserts "that the impurity concentration of an element in the LDD region is gradually reduced along a direction from an end of the gate electrode toward the channel forming region" and that "this feature is also taught by Yamazaki in Fig. 15, and disclosed at col. 11, l. 10-20" (page 3, Paper No. 20050305). Independent claim 26 has been amended in a manner similar to claims 14 and 20, as described above. Yamazaki appears to only disclose a concentration distribution in a depth direction as shown in column 11, lines 7-8. Yamazaki does not teach that an LDD region comprises a first portion and a second portion, that a concentration of an element decreases from the first portion to the second portion, and that the second portion is closer to a channel forming region than the first portion, either explicitly or inherently.

Since Yamazaki does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

New dependent claims 30-32 have been added to recite additional protection to which the Applicants are entitled. The features of claims 30-32 are supported by the specification at page 22, line 3, for example. For the reasons stated above and already of record, the Applicants respectfully submit that new claims 30-32 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Pilaud", written over a horizontal line.

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